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OFFICE OF PETITIONS

In re Application of :
Stuart Lee, et al. :
Application No. 10/681,329 : ON PETITION
Filed: October 9, 2003 :
Attorney Docket No. 2560-0414 :

This is a decision in response to a communication filed October 10, 2006, transmitting a copy of a May 4, 2006 petition to revive the above-identified application under 37 CFR 1.137(b). The petition purportedly filed May 4, 2006 cannot be located; however, a decision on the copy of the petition follows.

The petition is **granted**.

The application became abandoned for a failure to pay the issue fee on or before March 8, 2006. A Notice of Abandonment was mailed on April 7, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of the requisite issue/publication fee; (2) the petition fee of $1,500; and (3) an adequate statement of unintentional delay[1].

The application is being referred to the Office of Publications to be processed into a patent.

Telephone inquires related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing at Publishing Division should be directed to (571) 272-4200.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

[1] 37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Although the statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement will be construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.